

4288. Misbranding of sulfathiazole tablets and tablets containing a mixture of phenobarbital, acetophenetidin, aspirin, and caffeine. U. S. v. Lloyd Simpson (Palace Drug Store), and A. Wolff. Pleas of nolo contendere. Fine of \$125 against each defendant. (F. D. C. No. 35174. Sample Nos. 61861-L to 61865-L, incl.)

INFORMATION FILED: October 22, 1953, Eastern District of Oklahoma, against Lloyd Simpson, trading as the Palace Drug Store, Hugo, Okla., and A. Wolff, pharmacist.

NATURE OF CHARGE: On or about May 6, 22, and 25, 1953, while a number of *sulfathiazole tablets and tablets containing a mixture of phenobarbital, acetophenetidin, aspirin, and caffeine* were being held for sale at the Palace Drug Store, after shipment in interstate commerce, the defendants caused various quantities of the tablets to be dispensed without a prescription from a practitioner licensed by law to administer such drugs. Such acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: December 18, 1953. The defendants having entered pleas of nolo contendere, the court fined each defendant \$125.

4289. Misbranding of sulfadiazine tablets and tablets containing a mixture of phenobarbital, acetophenetidin, aspirin, and caffeine. U. S. v. City Drug Store. Plea of nolo contendere. Fine, \$150. (F. D. C. No. 35172. Sample Nos. 61851-L to 61856-L, incl.)

INFORMATION FILED: October 22, 1953, Eastern District of Oklahoma, against the City Drug Store, a partnership, Hugo, Okla.

NATURE OF CHARGE: On or about May 6, 19, 22, and 25, 1953, while a number of *sulfadiazine tablets and tablets containing a mixture of phenobarbital, acetophenetidin, aspirin, and caffeine* were being held for sale at the City Drug Store, after shipment in interstate commerce, the defendant caused various quantities of tablets to be dispensed without a prescription therefor from a practitioner licensed by law to administer such drugs. Such acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: December 1, 1953. The defendant having entered a plea of nolo contendere, the court fined it \$150.

4290. Misbranding of sulfadiazine tablets, ergonovine maleate tablets, and Seconal Sodium capsules. U. S. v. Shiro Drugs, Richard A. Shapiro, and Nathan Shapiro. Pleas of guilty. Fine of \$100 against firm, \$200 against Richard A. Shapiro, and \$200 against Nathan Shapiro, plus costs. (F. D. C. No. 35183. Sample Nos. 58971-L, 58973-L to 58975-L, incl.)

INFORMATION FILED: October 29, 1953, Northern District of Illinois, against Shiro Drugs, a partnership, Chicago, Ill., and Richard A. Shapiro and Nathan

NATURE OF CHARGE: On or about March 4, 5, and 11, 1953, while a number of Shapiro, partners in the partnership.

sulfadiazine tablets, ergonovine maleate tablets, and Seconal Sodium capsules were being held for sale at Shiro Drugs, after shipment in interstate commerce, various quantities of the drugs were dispensed without a prescription therefor from a practitioner licensed by law to administer such drugs. The partnership was charged with causing the acts of dispensing involved in each of the 4 counts of the information, and Richard A. Shapiro was joined as a defend-

ant in counts 1 and 4 relating to the dispensing of the *sulfadiazine tablets* and Nathan Shapiro was joined as a defendant in the other counts of the information relating to the other drugs involved. The acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: November 30, 1953. The defendants having entered pleas of guilty, the court fined the partnership \$100, Richard A. Shapiro \$200, and Nathan Shapiro \$200, plus costs.

4291. Misbranding of vinbarbital sodium capsules, pentobarbital sodium capsules, and capsules containing a mixture of extract of ergot, apiol, and oil of savin in a vehicle of castor oil. U. S. v. Holland B. Leonard, Sr. (Leonard's Drug Store), and Holland B. Leonard, Jr. Pleas of guilty. Fine of \$500 against Holland B. Leonard, Sr. Imposition of sentence suspended against Holland B. Leonard, Jr. (F. D. C. No. 35181. Sample Nos. 59085-L, 59086-L, 59090-L, 59644-L, 59649-L, 59650-L.)

INFORMATION FILED: During November 1953, Middle District of North Carolina, against Holland B. Leonard, Sr., trading as Leonard's Drug Store, High Point, N. C., and Holland B. Leonard, Jr., a pharmacist.

NATURE OF CHARGE: On or about April 8, 13, 14, 15, and 16, 1953, while a number of *vinbarbital sodium capsules, pentobarbital sodium capsules, and capsules containing a mixture of extract of ergot, apiol, and oil of savin in a vehicle of castor oil* were being held for sale at Leonard's Drug Store, after shipment in interstate commerce, various quantities of *vinbarbital sodium capsules* and *pentobarbital sodium capsules* were dispensed upon requests for refills of written prescriptions therefor without authorization by the prescriber, and a quantity of *capsules containing a mixture of extract of ergot, apiol, and oil of savin in a vehicle of castor oil* were dispensed without a prescription from a practitioner licensed by law to administer such drug. Holland B. Leonard, Sr., was charged with causing the acts of dispensing involved in each of the 6 counts of the information, and Holland B. Leonard, Jr., was joined as a defendant in the third count of the information. Such acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: December 7, 1953. The defendants having entered pleas of guilty, the court fined Holland B. Leonard, Sr., \$500 and suspended the imposition of sentence against Holland B. Leonard, Jr.

DRUG ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS

4292. Misbranding of uranium ore. U. S. v. 6,000 Pounds, etc. (F. D. C. No. 36116. Sample No. 42770-L.)

LIBEL FILED: November 20, 1953, Northern District of California.

ALLEGED SHIPMENT: On or about August 25, 1953, by the Montana American Uranium Co., from Helena, Mont.

PRODUCT: 6,000 pounds of *uranium ore* at San Jose, Calif., in possession of Mr. W. B. Hewson of the Radium Radiation Health Center, together with a number of leaflets entitled "Radium Radiation Health Center" and a placard designated "Radium Radiation Health Treatment."